RECEIVED

## RUBIN, WINSTON, DIERCKS & HARRIS

ATTORNEYS AT LAW

 $1730~\mathrm{M}$  Street, N.W.

SUITE 412

Washington, D.C. 20036 (202) 861-0870

FAX: (202) 429-0657

MAY - 7 1991

Federal Communications Commission
Office of the Secretary

May 7, 1991

## VIA HAND DELIVERY

Ms. Donna R. Searcy Secretary Federal Communications Commission 1919 M Street, N.W. Room 222 Washington, D.C. 20554

Re: Petition for Leave to Amend and Amendment to the Application of Northeast Florida Broadcasting Corp. for a new FM Station on Channel 289A at Baldwin, Florida, File No. BPH-891214NA

Dear Ms. Searcy:

Enclosed are an original and six copies of a Petition for Leave to Amend and Amendment which are being filed on behalf of Northeast Florida Broadcasting Corp., an applicant for a new FM broadcast station on Channel 289A at Baldwin, Florida, File No. BPH-891214NA. This Amendment is being filed pursuant to Section 1.65 of the Commission's Rules.

Please contact undersigned counsel if you have any questions concerning this Amendment.

Sincerely,

James L. Winston

Enclosure

MAY - 7 1991

# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

Federal Communications Commission Office of the Secretary

In re Applications of	) MM Docket No. 91-10
Charley Cecil & Dianna Mae White d/b/a WHITE BROADCASTING PARTNERSHIP et al.	) ) ) File No. BPH-891214MM )
NORTHEAST FLORIDA BROADCASTING CORP.	) File No. BPH-891214NA
For Construction Permit to Build a New FM Station on Channel 289A in Baldwin, Florida	) ) )

To: Honorable Edward Luton
Administrative Law Judge

### PETITION FOR LEAVE TO AMEND

Northeast Florida Broadcasting Corp. ("Northeast"), by its counsel, hereby petitions for leave to amend the above-captioned application. In support thereof, Northeast states the following:

- 1. Northeast seeks to amend its application in order to specify the current residential address of its president, Lillian Holt. This amendment is being made pursuant to Section 1.65 of the Commission's Rules. 47 C.F.F. § 1.65
- 2. Good cause exists for the acceptance of this amendment. See Erwin O'Conner Broadcasting Co., 22 FCC 2d 140, 18 RR 2d 820, 824 (Rev. Bd. 1970). Furthermore, the amendment is timely filed and acceptance of the amendment will not delay or disrupt the proceeding, nor will any party be prejudiced by its acceptance, and Northeast will gain no comparative advantage by virtue of the amendment.

WHEREFORE, having shown good cause, Northeast Florida Broadcasting Corp. respectfully requests that the Commission grant this petition for leave to amend its application.

Respectfully Submitted,

NORTHEAST FLORIDA BROADCASTING CORP.

By 🐔

James L. Winston Desmond P. Brown

RUBIN, WINSTON, DIERCKS & HARRIS 1730 M Street, N.W.

Suite 412

Washington, D.C. 20036

(202) 861-0870

Its Attorneys

Dated: May 7, 1991

MAY - 7 1991

Northeast Florida

Broadcasting Corp.

Baldwin, Florida
File No. BPH-891214NA

### **AMENDMENT**

Northeast Florida Broadcasting Corp. respectfully requests that its application for a new FM broadcast station on Channel 289A at Baldwin, Florida, File No. BPH-891214NA, be amended to reflect the current address of its president, Lillian Holt, which is as follows:

Lillian Holt 2567 College Street Jacksonville, Florida 32204

> NORTHEAST FLORIDA BROADCASTING CORP.

Lillian Holt

Dated: March 3/, 1991

#### CERTIFICATE OF SERVICE

I, Kathy Nickens, a secretary in the law firm of Rubin, Winston, Diercks & Harris, hereby certify that a copy of the attached PETITION FOR LEAVE TO AMEND AND AMENDMENT was served this 7th day of May 1991, to the following persons by first class mail, postage prepaid:

Honorable Edward Luton
Administrative Law Judge
Federal Communications
Commission
2000 L Street, N.W.
Room 225
Washington, D.C. 20554

Mr. Charles E. Dziedzic Chief, Hearing Branch Federal Communications Commission Mass Media Bureau 2025 M Street, N.W., Room 7212 Washington, D.C. 20554

Chief, Data Management Staff
Federal Communications
 Commission
Mass Media Bureau
Audio Services Division
1919 M Street, N.W.,
Room 350
Washington, D.C. 20554

Denise B. Moline, Esq.
McCabe & Allen
9105 Owens Drive
P.O. Box 2126
Manassas Park, Virginia 22111
Counsel for White Broadcasting
Partnership

David Honig, Esq. 1800 N.W. 187th Street Miami, Florida 33056 Counsel for Peaches Broadcasting, Ltd. Allan G. Moskowitz, Esq.
Kaye, Scholer, Fierman,
Hays & Handler
901 15th Street, N.W.
Suite 1100
Washington, D.C. 20005
Counsel for Sage Broadcasting
Corporation

Dennis J. Kelly, Esq.
Cordon and Kelly
Second Floor
1920 N Street, N.W.
Washington, D.C. 20036
Counsel for First Coast
Broadcasting Company

Arthur V. Belendiuk, Esq. Smithwick & Belendiuk, P.C. 2033 M Street, N.W. Suite 207 Washington, D.C. 20036 Counsel for Douglas Johnson

Salvador A. Serrano
7205 Enterprise Avenue
McLean, Virginia 22101
Counsel for JEM Productions,
Limited Partnership

Federal Aviation Administration Office of Chief Counsel AGC-230 800 Independence Avenue, S.W. Washington, D.C. 20591

Kathy Mickens